

Applicant guide to
SPECIAL USE PERMIT- MINING APPLICATIONS

WHAT IS A SPECIAL USE PERMIT?

Special use permits are necessary for projects that, due to their nature or location, require public review and specific development conditions to mitigate any potential impacts. The review process includes a public hearing before the Hearing Examiner. Mining is a special use as defined by the Lewis County Code (LCC) 17.115.030 (14). Mining operations also require review under the State Environmental Policy Act (SEPA).

HOW CAN I FIND OUT MORE BEFORE SUBMITTING AN APPLICATION?

You must request a pre-application conference with the Lewis County Community Development Department. At this meeting, county staff will go over the development standards that apply to your proposal, provide preliminary comments and answer your questions. There is no cost for a pre-application meeting. To schedule a meeting, please come to the Permit Center, 2025 NE Kresky Ave in Chehalis or call (360)740-1146.

HOW DO I APPLY?

Submit a completed permit application form, attach the supplemental information listed at the end of the application, and pay the required fee. Applications are accepted at the Permit Center (address is listed above). Please refer to the Community Development Fee Schedule for application fee information.

HOW IS THE APPLICATION PROCESSED?

After submission, the application is reviewed for completeness. Within 28 days of submitting the application, you will be notified that the application is complete, or if incomplete, the specific documents that are needed to complete the application. Once the application is deemed complete, a 120 day review clock begins.

County staff will visit the project site and conduct a technical review of the application. Additional information may be requested to complete this review, depending on the particular aspects of the project or conditions at the site. One aspect of the technical review is the preparation of a SEPA determination based upon the information in the Environmental Checklist. The determination indicates whether or not there are significant adverse environmental impacts expected to result from the proposal. SEPA determinations are mailed to the applicant and surrounding property owners with a 14 day comment period. SEPA review often runs concurrently with the comment period described below. If there are impacts that cannot be mitigated, the applicant must prepare an Environmental Impact Statement (EIS). The 120 day review clock is stopped until the EIS is submitted.

The County will send notice of application to surrounding property owners, describing your proposal and asking for comment. The notice of application has a 14 day public comment period. At this time, the applicant must also post the site with wooden sign prepared to the specifications of LCC 17.05.100 (2a) and return an affidavit of posting to the Community Development Department. This sign must be posted at least 30 days before the scheduled public hearing. All comments received in response to the notice of application will be forwarded to you and used by the staff in review of your application.

Once the site has been posted and the SEPA determination is finalized, a public hearing will be scheduled before the Hearings Examiner. Adjacent property owners will also receive a notice of public hearing. At the hearing, county staff will summarize the proposal and present the staff recommendations. The Hearings Examiner will then ask for comments from the applicant or representative. Testimony will also be accepted from other citizens who wish to speak.

Within 10 days of the end of the hearing, the Hearings examiner will render a decision. The Hearings Examiner will review the application based upon the following criteria:

- a. The plan is consistent with the Comprehensive Plan and the Lewis County Code
- b. Adequate provision is made for public services and facilities concurrency.
- c. There is adequate protection for adjacent properties from adverse impacts.
- d. The project complies with state standards and regulations.

- e. There is adequate protection for critical areas, including surface and ground water.
- f. Road access meets county standards.

The Hearings Examiner has the authority to approve, disapprove or condition all special use permit applications. The decision will be mailed to all parties of record: the applicant, property owner and anyone who submitted written comments or testified at the public hearing.

WHAT IF I DISAGREE WITH THE DECISION?

Any party of record may appeal the decision. Applications for an appeal of a special use permit shall be submitted on an approved county form with the required fee, within 14 days of the date of the decision. The Superior Court will hear and decide all special use permit appeals pursuant to Chapter 2.25 LCC. The decision of the Board is final.

MORE QUESTIONS?

Please consult the Lewis County Code chapter 17.115, or call the Lewis County Permit Center at (360) 740-1146.

LEWIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

2025 NE Kresky Avenue
Chehalis, WA 98532-2626

(360) 740-1146
FAX: (360) 740-1245

SPECIAL USE PERMIT- MINING APPLICATION

BASE SUBMITTAL FEES: New Application: \$3,370 (includes \$2,770 Application Fee and \$600 Hearing Examiner Fee)
SEPA Checklist required (\$605 fee)

Amendments/Revisions: \$695

Additional fees may apply.

FOR OFFICE USE ONLY:

Application Number: SPU10-_____

Application Date:_____

Permit Technician _____

Date Distributed:_____

1. **PROJECT NAME:**_____

2. **APPLICANT:**

Name _____

Address _____

Telephone Home (_____) _____ Work (_____) _____

E-Mail _____

3. **PROPERTY OWNER (If Other Than Applicant):**

Name _____

Address _____

Telephone Home (_____) _____ Work (_____) _____

E-Mail _____

4. **SURVEYOR OR ENGINEER:**

Name _____

Address _____

Telephone Home (_____) _____ Work (_____) _____

E-Mail _____

5. **PROPERTY LOCATION:**

____ 1/4 ____ 1/4, Section _____, Township ____ North, Range _____, WM

TAX PARCEL NUMBER(S):_____

SITE ADDRESS:_____

6. **BRIEF DESCRIPTION OF THE PROPOSAL:**_____

Total number of Employees:_____

Days and Hours of Operation:_____

7. WATER SUPPLY:

Existing Source: _____

Proposed Source: _____

8. SEWAGE DISPOSAL:

Existing Method: _____

Proposed Method: _____

9. ACCESS:

Existing Access: _____

Proposed Access: _____

10. SITE CHARACTERISTICS:

Total Size of Development Site: _____

Please list all existing buildings and the square footage of each:

Please list all proposed buildings and the square footage of each:

Total square footage of impervious surface (paved, covered, built on, gravel, etc.):

Existing: _____ Proposed: _____

11. VEHICLES AND TRAFFIC:

How many vehicle trips will be generated daily to and from the site by the proposed use? Please include trips by employees, customers, delivery trucks, etc.

How will these trips be distributed by mode and time of day? _____

How many parking spaces will be provided? _____

12. ADJACENT PROPERTIES:

What provisions have been made to make the development compatible with the appearance and character of the surrounding area?

What provisions have been made to safeguard the adjoining properties against any detrimental effects caused by the development?

13. SUPPLEMENTAL INFORMATION:

Please attach the following information to your application for submittal:

1. Detailed summary of all the uses and activities proposed to occur on site, including direct or accessory uses. No use shall be permitted on a mineral site which is not shown on the map approved by the Hearings Examiner.
2. Legal descriptions of all the property involved in the proposal.
3. A copy of the property lease if the applicant is a tenant on the site.
4. A list of all property owners within 500 feet of the development site, and an addressed, stamped envelope for each.
5. A map or series of maps drawn at a scale of 1"=100'. The map(s) must show:
 - a. Boundaries of the designated area.
 - b. Boundaries of individual ownership, or leasehold interests if the mine is confined to a leasehold area.
 - c. Dedicated rights of way or easements over, across, or under the property to be reviewed for approval.
 - d. Existing roads, highways, and driveways abutting the site and within 500 feet of the site, and the principle access from the site to the nearest arterial or state highway.
 - e. Property ownership within 500 feet of the site.
 - f. Well within the development area or within 500 feet of the boundary of the site, which are used for domestic use or identified through well log or water rights records.
 - g. If the project is along a type 1,2,3,4,5 stream, than the Ordinary High Water Mark (OHWM) must be delineated on the map.
 - h. If the project is along a type 1 stream than the 200-foot shoreline boundary must be delineated on the map.
 - i. All floodways and flood plain boundaries must be delineated on the map.
 - j. All Critical Areas and buffers ie: hydric soils, wetlands, ESA list species must be identified on the map.
 - k. Retention facilities (ponds) for on-site equipment wash runoff.
 - l. Placement and size of buffer corridors for visual enhancement and noise and odor abatement.
6. For mineral extraction special use permits only: A mine plan consistent with DNR reclamation requirements, together with a proposed phasing plan.
7. A State Environmental Policy Act (SEPA) Environmental Checklist. That checklist should specifically address:
 - a. On site and off site critical areas, issues, protection and mitigation plans.
 - b. Transportation- present facilities and upgrades if required, new facilities, and the phasing of impacts and mitigation.
 - c. Storm-water, including existing and proposed facilities, and the potential impact on off site facilities, critical areas, water resources, and all type 4 and 5 streams.
 - d. Blasting, if applicable and potential risks and mitigation, noise level study (for mineral extraction only).
 - e. Water source and uses and its affect on neighboring properties.
 - f. Biological Assessment, if applicable.
 - g. Geo-technical analysis, if applicable.
 - h. Hydrological analysis, if applicable.
 - i. Fuel/hazardous waste management plan.
 - j. Dust and odor abatement plan.
8. Additional materials may be required, pursuant to LCC 17.115 (Special Use Permits).
9. All relevant material related to the surface mine operations shall be required at the time of the submittal of the permit to Lewis County Community Development, or the application shall be deemed incomplete.

14. **SIGNATURES**

I/We certify that all of the information contained in, and attached to, this application is true to the best of my/our knowledge. Additionally, I/We certify that I/We have read and understand the limitations and conditions of Lewis County Code, especially Chapter 17.115 (Special Use Permits), and agree to comply with all conditions of approval.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20____.

Notary Public in and for the State of

My office expires: _____